

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JAY PAUL DERATANY, individually,)	
and as agent of JAY PAUL DERATANY)	
& ASSOC., LTD., an Illinois)	
Professional Corporation,)	
)	
Plaintiff,)	
)	
vs.)	No.
)	FILED: JUNE 11, 2008
DELL FINANCIAL SERVICES, a Texas)	08CV3372
Corporation, and LTD. FINANCIAL)	JUDGE SHADUR
SERVICES, L.P., a Texas Corporation,)	MAGISTRATE JUDGE COLE
individually and as agent of DELL,)	
)	
Defendant.)	PH

NOTICE OF REMOVAL OF ACTION

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

Please take note that Defendant Dell Financial Services ("DFS"), by and through its undersigned counsel, pursuant to the provisions of 28 U.S.C. §§ 1331, 1441 and 1446 that it this day removes this action from the Circuit Court of Cook County, Illinois to this Court. In support of removal, DFS submits this notice and state as follows:

1. This action is properly removable to this Court under 28 U.S.C. § 1441. This Court has original subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 because Plaintiff asserts a claim under the federal Fair Debt Collections Act, 15 U.S.C. § 1692 *et seq.*

2. This action was originally filed in the Circuit Court of Cook County, Illinois, on April 30, 2008 and served on DFS on May 12, 2008. This Notice of Removal of Action is therefore filed within the 30-day period prescribed by 28 U.S.C. § 1446(b). *See*

Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc., 526 U.S. 344 (1999). In accordance with 28 U.S.C. § 1446(a), DFS has attached hereto true and correct copies of all process, pleadings, and orders served upon it as of the date of this Notice of Removal of Action. *See* Exhibit A.

3. DFS has received consent from Defendant Ltd. Financial Services, L.P. (“Ltd.”) to remove this matter to federal court. Ltd. was served with this action on May 13, 2008. *See* Exhibit B.

4. As required by 28 U.S.C. § 1446(d), DFS will promptly file with the Circuit Court of Cook County, Illinois, and serve upon Plaintiff’s counsel, a true and correct copy of this Notice of Removal of Action.

5. Venue is proper in this district and division pursuant to 28 U.S.C. § 1441(a) because this district and division embrace the Circuit Court of Cook County, Illinois, the forum in which the removed action was pending.

6. This Court has federal question jurisdiction as Plaintiff alleges a claim under the federal Fair Debt Collections Act, and this Court has supplemental jurisdiction of the State law claims pursuant to 28 U.S.C. §1367.

7. For all of these reasons, DFS respectfully removes this action to this Court from the Circuit Court of Cook County, Illinois.

Dated: June 11, 2008

Respectfully submitted,

DELL FINANCIAL SERVICES AND LTD.
FINANCIAL SERVICES, L.P.,

By /s/ Mary E. Anderson
One of Its Attorneys

David J. Chizewer
Mary E. Anderson
GOLDBERG KOHN BELL BLACK
ROSENBLUM & MORITZ, LTD.
55 East Monroe Street
Suite 3300
Chicago, Illinois 60603
(312) 201-4000

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that on June 11, 2008, she caused a true and correct copy of the foregoing **Notice of Removal of Action** to be served via Messenger delivery upon:

Jay Paul Deratany
Jay Paul Deratany & Associates, Ltd.
77 West Washington Street
Suite 1300
Chicago, IL 60602

Justin M. Penn
HINSHAW & CULBERTSON LLP
222 N. LaSalle
Suite 300
Chicago, Illinois 60601

/s/ Mary E. Anderson
Mary E. Anderson

08CV3372

JUDGE SHADUR

MAGISTRATE JUDGE COLE

PH

EXHIBIT A

2120 - Served
 2220 - Not Served
 2320 - Served By Mail
 2420 - Served By Publication
 SUMMONS

2121 - Served
 2221 - Not Served
 2321 - Served By Mail
 2421 - Served By Publication
 ALIAS - SUMMONS

(2-81) CCG-1

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, LAW DIVISION**

JAY PAUL DERATANY, individually, and as
 agent of JAY PAUL DERATANY & ASSOC.,
 LTD., a Illinois Professional Corporation,

Plaintiff,

vs.

DELL FINANCIAL SERVICES, a Texas
 Corporation, and LTD. FINANCIAL SERVICES,
 L.P., a Texas Corporation,

Defendants.

No.

Please serve:

Dell Financial Services
 Attn: Legal Department
 One Dell Way
 MS 7100
 Round Rock, TX 78682

2008L004734
 CALENDAR/ROOM N
 TIME 00:00
 Consumer Fraud

SUMMONS

To each defendant:

YOU ARE SUMMONED and required to file an answer in this case, or otherwise file your appearance in the office of the clerk of this court (located in the Richard J. Daley Center, Room 801, Chicago, Illinois 60602), within 30 days after service of this summons, not counting the day of service. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT, A COPY OF WHICH IS HERETO ATTACHED.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so indorsed. This summons may not be served later than 30 days after its date.

WITNESS..... 2008

APR 30 2008
 Clerk of Court DOROTHY BROWN

Atty No. 30900
 Name JAY PAUL DERATANY & ASSOC.
 Attorney for Plaintiff
 Address 77 W. Washington Street, Suite 1300
 City Chicago, Illinois 60602
 Telephone (312) 857-7285

Date of service..... 2008
 (to be inserted by officer on copy left with
 defendant or other person)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

DELIVERED THIS 12 DAY OF May 2008
 BRUCE ELFANT

CONSTABLE, PREC. 5, TRAVIS COUNTY, TEXAS

BY

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

JAY PAUL DERATANY, individually, and as)
agent of JAY PAUL DERATANY & ASSOC.,)
LTD., a Illinois Professional Corporation,)

Plaintiff,)

vs.)

DELL FINANCIAL SERVICES, a Texas)
Corporation, and LTD. FINANCIAL SERVICES,)
L.P., a Texas Corporation, individually and as)
agent of DELL,)

Defendant.)

No.

2008L004724
CALENDAR/ROOM N
TIME 00:00
Consumer Fraud

FILED-4
08 APR 30 PM 3:28
DOROTHY BROWN
CLERK OF CIRCUIT COURT
LAW DIVISION

COMPLAINT AT LAW

NOW COMES plaintiff, JAY PAUL DERATANY, individually, and as agent of JAY PAUL DERATANY & ASSOCIATES, LTD., and complaining against defendants, DELL FINANCIAL SERVICES and LTD. FINANCIAL SERVICES, L.P., individually and as agent of DELL, does hereby complain as follows:

FACTS COMMON TO ALL ALLEGATIONS

1. On or after September 23, 2004, plaintiff purchased computers for his home or offices, by contacting defendant Dell Financial Services (hereinafter referred to as Dell), and placing a phone order for said computers. At no time did plaintiff agree to pay for the computers on any type of contractual term agreement, lease basis or other agreement other than cash upon receipt.
2. Plaintiff received the computers on or about the beginning of November 2004.
3. Plaintiff made payment in full for said computers on or about November 4, 2004.

4. On or about November 20, 2004, Plaintiff, was attempting to make a purchase of his home and discovered that there was a "negative credit report" placed by defendant Dell.

5. On or about November 23, 2004, plaintiff contacted an employee and agent of Dell Financial Services named "Katie" employee number 455220 who indicated that the "bill was paid in full and there is no negative report on your credit or any account". This action ratified the agreement that there was no money owed by plaintiff to defendant Dell.

6. On or about November 30, 2004, plaintiff received a phone call from an "Alfred" employee number 339041 who stated there was a negative report on plaintiff's credit history, and that he would not remove it, and would not send a copy of a contract between Dell and Plaintiff, even after plaintiff repeatedly requested a copy of said contract if it existed. Alfred refused to cooperate and further refused to send any evidence or verification of debt owed.

7. Thereafter, and continuing for a four year period of time on a monthly basis and up to the present date, plaintiff would receive bills on an account numbered 501-6941923-001 which stated that plaintiff owed various sums of money but then stated in the "total due" portion that plaintiff owed the amount of "0.00". Plaintiff or his employees and agents would call the company, and ask whether there was any amount due, and if so why. Repeatedly defendants through their agents would represent that "no money was due" and that they would get back to plaintiff as to the reason why he was receiving a bill. Plaintiff or his agents would repeatedly request that the defendant cease and desist from sending a bill. (Said invoices attached and incorporated herein as group exhibit "A" to plaintiff's complaint at law)

8. On or about December 2004, Ms. Jackie Cuba contacted plaintiff's employee Deirdre Willis and represented that she was the floor manager for Dell Financial Services and stated that there was "some reason" the sale of computers was converted to a lease. Subsequent to the initial date, Ms. Jackie Cuba again contacted plaintiff's employee Deirdre Willis and this time

stated that "Dell had received payment in full in November 2004 for the computers" and that no money was owed.

9. Plaintiff and his employees were again contacted by Dell and it's agent LTD Financial Services L.P. (herein after referred to as LTD) who stated that plaintiff owed the sum of \$3153.17. After the faxed letter sent January 9, 2008, plaintiff requested that defendant Dell and LTD cease and desist from contacting him because he was already told that no money was owed. (correspondence dated January 9, 2008 attached and incorporated herein as exhibit "B")

10. On or about February, March and April of 2008, plaintiff and his employees continued to receive threatening phone calls requesting payment from John Cunningham. (correspondence of April 11, 2008, attached herein as exhibit "C")

11. Defendant Dell and it's agent LTD continued to harass and contact by telephone and letter plaintiff and his employees requesting various sums of money. On April 21, 2008, plaintiff received a phone message from Ms. Washington, an employee and agent of LTD, stating that I needed to call her back immediately "or else". Plaintiff contacted Ms. Washington, wherein Ms. Washington stated that plaintiff had to pay the amount owed or "you will be in big trouble". When plaintiff stated that he knew of no money owed, and that he was again requesting a copy of the contract between plaintiff and Dell, Ms. Washington stated, "we know damn well you have the contract with you". She then screamed over the telephone and repeatedly harassed plaintiff.

12. At no time did plaintiff ever sign any contract or make any agreement to lease any computers from Dell Financial Services.

COUNT I- COMMON LAW EXTORTION AND HARRASSMENT--DELL AND LTD

13. Plaintiff repeats and readopts paragraphs 1-12 of facts common to all allegations as if specifically repeated herein.

14. Defendant DELL and LTD have engaged in a repeated and abusive pattern of harassment in order to collect money from plaintiff which they knew, or in the exercise or reasonable judgment would know that is not owed.

15. Defendant DELL and LTD through their employees and agents, inclusive of Alfred, and Ms. Washington knew that they were making false statements about a "signed contract" and continued to engage in harassing and extortion type behavior by repeatedly contacting plaintiff and requesting money which other of their employees admitted was not owed.

16. As a direct and proximate cause of defendants conduct, plaintiff's credit rating was damaged, costing plaintiff thousands of dollars, plaintiff was required to spend multiple hours of staff time and his time addressing the false accusations, and incurred other out of pocket expenses.

WHEREFORE, Plaintiff demands judgment against Defendants Dell and LTD for an amount in excess of \$50,000.00 in compensatory damages, attorneys fees, punitive damages, and other remedies as allowed under the law.

COUNT II--FRAUD

17. Plaintiff repeats and readopts paragraphs 1-16 of Count I as paragraphs 1-16 of Count II as if specifically alleged herein.

18. Defendants knew that plaintiff did not sign any lease agreement yet deliberately engaged in a pattern of deceptive practices designed to confuse plaintiff, and to attempt to defraud plaintiff of the sum of \$3,000.00 or more dollars.

WHEREFORE, Plaintiff demands judgment against Defendants Dell and LTD for an amount in excess of \$50,000.00, for compensatory damages, punitive damages, attorneys fees, and costs.

COUNT III- VIOLATIONS OF THE FAIR DEBT COLLECTIONS ACT

19. Plaintiff repeats and readopts paragraphs 1-18 of Count I and II as paragraphs 1-18 of Count III as if specifically alleged herein.

20. Plaintiff repeatedly requested that defendant stop contacting him or his staff or employees for purposes of collecting; In November 2004, plaintiff had contacted defendant within 30 days of their first contact stating that he did not owe the money. Despite said letter, defendant repeatedly contacted plaintiff with monthly "statements" letters, faxes, and by telephone. Each and every request by plaintiff that defendant cease and desist from further contact was deliberately ignored by defendant.

21. Defendant's agents inclusive of Alfred, and Ms. Washington, used abuse and annoying and harassing behavior over the telephone by repeatedly calling plaintiff, and his staff, by using abusive language and by making false statements such as "we have your signed contract". This conduct constituted Prohibited Harassment or Abuse as defined by 15 U.S.C. § 1692d.

22. On or about January 9, 2008, defendant LTD sent a facsimile to Jay Paul Deratany stating that the balance of \$3,153.17 was owed on the "contract". On or about the same date, plaintiffs employee Deirdre Willis received a telephone call from Mr. Cunningham wherein he

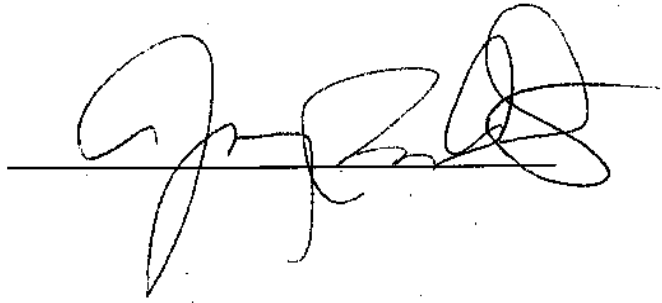
stated that there was a written contract between defendant Dell and plaintiff. At all times relevant both LTD and Dell knew that there was no written signed contract between plaintiff and defendant.

23. January 15, 2008, Paul Moyer, an agent and employee of Defendant Dell sent a sent a "contract" which Dell represented was the "written contract" between the defendant Dell and plaintiff. At all times, Dell and it's agent knew that they were in possession of no written contract (because it does not exist) and sent a copy of a document falsely representing that a written contract existed. These communications were Prohibited False or Misleading Statements as defined under 15 U.S.C. § 1692e

24. Defendant has repeatedly and over a four year time period engaged in harassing and deceptive behavior in order to collect money not owed or contracted between the parties; At no time did plaintiff enter into a "60 day same as cash loan agreement" at no time did plaintiff give consideration for said agreement, and at no time did plaintiff fail to pay for the said computers within the time agreed upon. Defendants by sending plaintiff a known false document on January 15, 2008 engaged in Prohibited Unfair Practices in violation of 15 U.S.C. § 1692f.

WHEREFORE, Plaintiff demands judgment against Defendants Dell Financial Services, and LTD Financial Services L.P for the amount statutorily allowed under the act, for attorneys fees, employees time spent in responding to false allegations, and other remedies as allowed under the law.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "JP Deratany", is written over a horizontal line.

JAY PAUL DERATANY & ASSOCIATES, LTD.
Attorneys for Plaintiff
77 West Washington Street
Suite 1300
Chicago, IL 60602
(312) 857-7285
Attorney No. 30900

AFFIDAVIT

NOW COMES your affiant, JAY PAUL DERATANY, being duly sworn under oath and deposes and states as follows:

1. I am one of the attorneys for the plaintiff in this cause.
2. The total amount of money sought exceeds Fifty Thousand Dollars.

Under penalties of perjury pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies as aforesaid that the statements contained in this instrument are true and correct except as to such statements made on information and belief and as to such statements the undersigned certifies as aforesaid that he verily believes the same to be true.


JAY PAUL DERATANY

JAY PAUL DERATANY & ASSOCIATES, LTD.
Attorneys for Plaintiffs
77 West Washington Street
Suite 1300
Chicago, IL 60602
312/857-7285
Firm I.D. 30900



www.dell.com/dfs

See reverse side for important
contact information.
1-877-663-3355

Special Messages for DERATANY, JAY PAUL & ASSOCIATES, LTD**Account: 501-6941923-001**

You may now obtain basic account information virtually 24/7 at www.dell.com/dfs. Click on Customer Service and create a profile to begin. You may also obtain information through our Automated Account Line at 877-577-3355. Have your account number and zip code ready. Visit us today!

Account Summary

Invoice Date	01/13/07	Credits/Payments received (-)	\$0.00	*Current Loan Balance \$2,568.34
Invoice Number	57830945	Current Charges	\$155.70	Includes Principal, accrued interest
Due Date	02/06/07	Past Due	\$258.47	and Payments to date
		Total Due	\$414.17	* This is not a payoff balance
				Account Start Date 10/06/04

Account	Transaction Description	Transaction Total
501-6941923-001	BUSINESS LOAN	130.70
501-6941923-001	LATE CHARGES	25.00

Outstanding Invoice Information:

INVOICE STATUS	Invoice Number	Amount Invoiced	Due Date	Outstanding Balance
1-30 days past due	57306141	130.70	01/06/07	130.70
31-60 days past due	56764934	130.70	12/06/06	127.77
31-60 days past due	56222266	261.40	12/06/06	127.77
TOTAL		\$522.80		\$386.24

** Visit our website @ www.dell.com/dfs **

** For assistance with your account, please call Customer Service at 877-663-3355. **

** For equipment returns or order issues contact Dell Customer Service at 800-624-9897. **

Account Details

Previously unpaid loan payments or other charges appear as Past Due Charges on this invoice and are due immediately.

Amounts received in excess of your regular monthly payment will be applied first to past due amounts, if any, and then to your next scheduled payment. See the reverse side for additional information about your account.

Please return this portion with payment. Do not staple or fold.

DELL Financial Services

Account Number: 501-6941923-001
Invoice Number: 57830945
Total Due: \$414.17
Due Date: 02/06/07

New Address or Phone Number?
Please check box and complete
reverse side

Amount \$
Enclosed:

☐ Address change of equipment location

Please make your check payable to: DELL FINANCIAL SERVICES
Include your account number on your check or money order.

9280L 01/13/06 14:19 0007456 20070115 74715102 DELL 1 02 EOM 7471510800- 155877 EN

DERATANY, JAY PAUL & ASSOCIATES, LTD
JAY PAUL DERATANY
205 W WACKER DR
STE 900
CHICAGO, IL 60606-1456

DELL FINANCIAL SERVICES
PAYMENT PROCESSING CENTER
P.O. BOX 5292
CAROL STREAM, IL 60197-5292

**PLAINTIFF'S
EXHIBIT**

"A"

5016941923001000578309450000015570000000004141709988509

1-877-663-3355

Account: 501-6941923-001

Account Summary

* This is not a payoff balance
Account Start Date 10/06/04

0.00

Account Details

501694192300100056222266000000000000000000000000009988503

*See reverse side for important
contact information.*

Account: 501-6941923-001

Account Summary

* Current Loan Balance \$2,008.53
Includes Principal, accrued interest
and Payments to date

* This is not a payoff balance
Account Start Date 10/06/04

0.00

[illegible]

[illegible]

DELL Financial Services

www.DellFinancialServices.com

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contact information.**Special Messages for DERATANY, JAY PAUL & ASSOCIATES, LTD****Account: 501-6941923-001**

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Account Summary

Invoice Date 09/13/05
Invoice Number 48940873
Due Date 11/06/05

Credits/Payments received (-)	\$0.00
Current Charges	\$0.00
Past Due	\$0.00
Total Due	\$0.00

*Current Loan Balance \$1,780.86
Includes Principal, accrued interest
and Payments to date

*This is not a payoff balance
Account Start Date 10/06/04

Account	Transaction Description	Transaction Total
501-6941923-001	BUSINESS LOAN	0.00

** Visit our website @ www.DellFinancialServices.com **

** For assistance with your account, please call Customer Service at 877-577-3355. **

** For equipment returns or order issues contact Dell Customer Service at 800-624-9897. **

Account Details

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Please return this portion with payment. Do not staple or fold.

Account Number: 501-6941923-001
Invoice Number: 48940873
Total Due: \$0.00
Due Date: 11/06/05

\$

☐ Address change of equipment location

Please make your check payable to: DELL FINANCIAL SERVICES
Include your account number on your check or money order.



1248 010205 1619 806276 20080912 5140510 DELL 1 02 00M 5160010000- 155077 0N



DERATANY, JAY PAUL & ASSOCIATES, LTD
JAY PAUL DERATANY
205 W WACKER DR
STE 900
CHICAGO, IL 60606-1456



DELL FINANCIAL SERVICES
PAYMENT PROCESSING CENTER
P.O. BOX 5292
CAROL STREAM, IL 60197-5292

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DELL Financial Services

www.DellFinancialServices.com

See reverse side for important
contact information.**Special Messages for DERATANY, JAY PAUL & ASSOCIATES, LTD****Account: 501-6941923-001**

You may now obtain basic account information virtually 24/7 at www.DellFinancialServices.com. Click on Customer Service and create a profile to begin. You may also obtain information through our Automated Account Line at 877-577-3355. Have your account number and zip code ready. Visit us today!

Account Summary

Invoice Date	07/14/05	Credits/Payments received (-)	\$0.00	*Current Loan Balance	\$1,680.05
Invoice Number	47800481	Current Charges	\$0.00	Includes Principal, accrued interest and Payments to date	
Due Date	09/06/05	Past Due	\$0.00	* This is not a payoff balance Account Start Date 10/06/04	
		Total Due	\$0.00		

Account**Transaction Description****Transaction Total**

501-6941923-001

BUSINESS LOAN

0.00

** Visit our website @ www.DellFinancialServices.com **

** For assistance with your account, please call Customer Service at 877-577-3355. **

** For equipment returns or order issues contact Dell Customer Service at 800-624-9897. **

Account Details

Previously unpaid loan payments or other charges appear as Past Due Charges on this invoice and are due immediately.

Amounts received in excess of your regular monthly payment will be applied first to past due amounts, if any, and then to your next scheduled payment. See the reverse side for additional information about your account.

Please return this portion with payment. Do not staple or fold.

Financial Services

Account Number: 501-6941923-001
 Invoice Number: 47800481
 Total Due: \$0.00
 Due Date: 09/06/05

Amount \$

☐ Address change of equipment location

Please make your check payable to: DELL FINANCIAL SERVICES
 Include your account number on your check or money order.



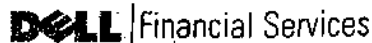
10484 01/24/05 14 15 0003670 20050715 50652101 DELLBL 1 02 00M 5065210000 135277 00

DERATANY, JAY PAUL & ASSOCIATES, LTD
 JAY PAUL DERATANY
 205 W WACKER DR
 STE 900
 CHICAGO, IL 60606-1456



DELL FINANCIAL SERVICES
 PAYMENT PROCESSING CENTER
 P.O. BOX 5292
 CAROL STREAM, IL 60197-5292

501694192300100047800481000-196343000000-19634309988509



www.DellFinancialServices.com
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contact information.

Special Messages for DERATANY, JAY PAUL & ASSOCIATES, LTD

Account: 501-6941923-001

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Account Summary

Invoice Date	05/14/05	Credits/Payments received (-)	\$0.00	*Current Loan Balance \$1,534.77
Invoice Number	46688021	Current Charges	\$0.00	Includes Principal, accrued interest
Due Date	07/06/05	Past Due	\$0.00	and Payments to date
		Total Due	\$0.00	* This is not a payoff balance
				Account Start Date 10/06/04

Account	Transaction Description	Transaction Total
501-6941923-001	BUSINESS LOAN	0.00

** Visit our website @ www.DellFinancialServices.com **

** For assistance with your account, please call Customer Service at 877-663-3355. **

** For equipment returns or order issues contact Dell Customer Service at 800-624-9897. **

Account Details

Previously unpaid loan payments or other charges appear as Past Due Charges on this invoice and are due immediately.

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Please return this portion with payment. Do not staple or fold.

DELL Financial Services

Account Number: 501-6941923-001
Invoice Number: 46688021
Total Due: \$0.00
Due Date: 07/06/05

Amount \$
Enclosed:

☐ Address change of equipment location

Please make your check payable to: DELL FINANCIAL SERVICES
Include your account number on your check or money order.

37481 3/12/05 16 16 0005240 20050510 5E772103 DELL 1 02 00M 5E77210300- 165677 00

DERATANY, JAY PAUL & ASSOCIATES, LTD
JAY PAUL DERATANY
205 W WACKER DR
STE 900
CHICAGO, IL 60606-1456

DELL FINANCIAL SERVICES
PAYMENT PROCESSING CENTER
P.O. BOX 5292
CAROL STREAM, IL 60197-5292

501694192300100046688021000-222483000000-22248309988501

DELL Financial Services

www.DellFinancialServices.com

See reverse side for important
contact information.**Special Messages for DERATANY, JAY PAUL & ASSOCIATES, LTD****Account: 501-6941923-001**

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Account Summary

Invoice Date	04/13/05	Credits/Payments received (-)	\$0.00	*Current Loan Balance \$1,470.51
Invoice Number	46127811	Current Charges	\$0.00	Includes Principal, accrued interest
Due Date	06/06/05	Past Due	\$0.00	and Payments to date
		Total Due	\$0.00	* This is not a payoff balance
				Account Start Date 10/06/04

Account	Transaction Description	Transaction Total
501-6941923-001	BUSINESS LOAN	0.00

** Visit our website @ www.DellFinancialServices.com **

** For assistance with your account, please call Customer Service at 877-663-3355. **

** For equipment returns or order issues contact Dell Customer Service at 800-624-9897. **

Account Details

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Please return this portion with payment. Do not staple or fold.

Financial Services

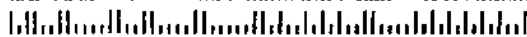
Account Number: 501-6941923-001
 Invoice Number: 46127811
 Total Due: \$0.00
 Due Date: 06/06/05

\$

☐ Address change of equipment location

Please make your check payable to: DELL FINANCIAL SERVICES
 Include your account number on your check or money order.

12ABL 04/24/05 15 15 0003067 20050614 50620101 DELLBL 1 02 DOM 5062010000- 155077 BH



DERATANY, JAY PAUL & ASSOCIATES, LTD
 JAY PAUL DERATANY
 205 W WACKER DR
 STE 900
 CHICAGO, IL 60606-1456



DELL FINANCIAL SERVICES
 PAYMENT PROCESSING CENTER
 P.O. BOX 5292
 CAROL STREAM, IL 60197-5292

501694192300100046127811000-235553000000-23555309988507

From: LTD FINANCIAL SVCS To: 3128572004 DERATANY, JAY PAUL & Msg#326.0.1

01/09/2008 12:14 Page 2 of 3



LTD Financial Services, L.P.
7322 Southwest Freeway
Suite 1600
Houston, Texas 77074
Phone: (713) 773-3100
Fax: (713) 414-2126

X 23%

JANUARY 09, 2008

JAY PAUL & ASSOCIATE DERATANY
STE 900
205 W WACKER DR
CHICAGO, IL 60606-1456

REF NO: 009258999
CLIENT: DELL FINANCIAL SERVICES
ACCOUNT #: DC2 2457018
SCHEDULE: 501-6941923-001

BALANCE: 3153.17

DEAR MR. DERATANY,

THIS LETTER IS TO CONFIRM THAT WE ARE HEREBY AUTHORIZING THE SETTLEMENT OF THE ABOVE REFERENCED ACCOUNT FOR THE AMOUNT OF \$ 2207.21, IF PAID BY 01/23/2008. UPON RECEIPT OF THIS AMOUNT, YOUR ACCOUNT WILL BE SETTLED IN FULL.

THIS LETTER AND YOUR CANCELED CHECK OR OTHER RECEIPT WILL SERVE AS YOUR PROOF OF PAYMENT.

IF YOU HAVE ANY QUESTIONS PLEASE FEEL FREE TO CALL ME AT 1-800-741-2100.

SINCERELY,

A handwritten signature in cursive script, appearing to read "John D. Cunningham".

JOHN D. CUNNINGHAM
V.P. OPERATIONS



See the reverse side of this notice for
important information about your rights.

Federal law prohibits certain methods of debt collection, and requires that we treat you fairly. You can stop us from contacting you by writing a letter to us that tells us to stop the contact. Sending such a letter does not make the debt go away if you owe it. Once we receive your letter, we may not contact you again, except to let you know that there won't be any more contact or that we intend to take a specific action.

If you have a complaint about the way we are collecting this debt, please write to our CONTACT CENTER, 7322 Southwest Freeway, Suite 1600, Houston, TX 77074, email us at customercare@ltdfin.com, or call us toll-free at 1-866-310-9845 between 9:00 A.M. Central Time and 5:00 P.M. Central Time Monday - Friday.

The Federal Trade Commission enforces the Fair Debt Collection Practices Act (FDCPA). If you have a complaint about the way we are collecting your debt, please contact the FTC online at www.ftc.gov; by phone at 1-877-FTC-HELP; or by mail at 600 Pennsylvania Ave. NW, Washington, DC 20580

From: LTD FINANCIAL SVCS To: 3128572004 DERATANY, JAY PAUL & Mag#4694.0.1 04/11/2008 13:15 Page 2 of 3



LTD Financial Services, L.P.
7322 Southwest Freeway
Suite 1600
Houston, Texas 77074
Phone: (713) 773-3100
Fax: (713) 414-2126

APRIL 11, 2008

JAY PAUL & ASSOCIATE DERATANY
STE 900
205 W WACKER DR
CHICAGO, IL 60606-1456

Ref No: 009258999
Client: DELL FINANCIAL SERVICES L.L.C.
Account #: DC2 2457018


Balance: 3153.17

Dear JAY PAUL & ASSOCIATE DERATANY,

This letter is to confirm that the above named client has been assigned to LTD Financial Service, a collection agency. The balance of 3153.17 is due by 04/25/2008. Upon receipt of this amount your account will be paid in full. Please make check payable to DELL FINANCIAL SERVICES L.L.C. or LTD Financial Services and send to above address.

This letter and your canceled check or other receipt will serve as your proof of payment. If you have any questions please feel free to call me at 1-800-741-2100.

Sincerely,


John D. Cunningham
V.P. Operations



See the reverse side of this notice for
Important information about your rights.

From: LTD FINANCIAL SVCS To: 3128572004 DERATANY, JAY PAUL & Mag#4694.0.1 06/11/2008 13:15 Page 3 of 3

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08CV3372

JUDGE SHADUR

MAGISTRATE JUDGE COLE

PH

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JAY PAUL DERATANY, individually,)	
and as agent of JAY PAUL DERATANY)	
& ASSOC., LTD., an Illinois)	
Professional Corporation,)	
)	
Plaintiff,)	
)	
vs.)	No.
)	
DELL FINANCIAL SERVICES, a Texas)	
Corporation, and LTD. FINANCIAL)	
SERVICES, L.P., a Texas Corporation,)	
individually and as agent of DELL,)	
)	
Defendant.)	

CONSENT TO REMOVAL

Defendant, Ltd. Financial Services, L.P. ("Ltd."), hereby consents to the Notice of Removal filed by defendant, Dell Financial Services ("DFS") and asserts as follows:

1. Plaintiff filed this action on April 30, 2008 in the Circuit Court of Cook County, Illinois as Case No. 2008 L 4734 against Defendants DFS and Ltd.
2. Ltd. was served with the complaint in this action on May 13, 2008.
3. DFS has filed a Notice of Removal pursuant to 28 U.S.C §§ 1331, 1441 and 1446.
4. Ltd. consents to the removal of this action to federal court.

WHEREFORE, Ltd. Financial Services, L.P. hereby consents to the removal of this matter to this Court and requests that this Court assume full jurisdiction over the claims made in this civil action.

Dated: June 10, 2008

Respectfully submitted,

LTD. FINANCIAL SERVICES, L.P.

By 
One of Its Attorneys

Justin M. Penn
HINSHAW & CULBERTSON LLP
222 N. LaSalle
Suite 300
Chicago, Illinois 60601
(312) 704-3157